

Village of Deer Creek

101 W. First Ave. PO Box 38
Deer Creek, IL 61733

Tuesday November 17, 2009

Regular Meeting Minutes

President and Board of Trustees

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF
THE VILLAGE OF DEER CREEK HELD AT DEER CREEK VILLAGE HALL.

Village President Jim Hackney called the meeting to order at 7:01 p.m.

I.) **ROLL CALL:**

Present: Trustees Terry Bobell, Karl Eschelbach, Mark Rich, and Mike Wallace.

Absent: Trustees Mark Killion and Mark Smith.

Also Present: Clerk Lori Lewis, PWS Francis Wort, PWA Mike Carr, Chief Jim Edwards, Treasurer Bre Grafing, and Attorney Pat McGrath.

II.) **APPROVAL OF CONSENT AGENDA:**

Trustee Rich moved and Trustee Eschelbach seconded the motion to approve the Consent Agenda as presented.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

III.) **PUBLIC COMMENT:** None.

IV.) **ADDITIONAL REPORTS:**

A. **Public Works Superintendent** – Report on file.

B. **Zoning Board of Appeal** – No report.

C. **Planning Commission** – No report.

D. **Police Chief** – Report on file.

Trustee Bobell moved and Trustee Wallace seconded the motion to accept with regret the resignation of Officer Kim Jones effective immediately.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

E. **Engineer** –

Trustee Bobell moved and Trustee Eschelbach seconded the motion authorizing the village president and clerk to sign all necessary documents pertaining to the Emergency Repair Program as recommended by the village engineer.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

F. **Attorney** – Trustee Eschelbach expressed his concerns regarding combining the Planning Commission and the Zoning Board of Appeals. It was explained that resignations of both committees will be received and accepted effective November 27, 2009, ten days after publication of the ordinance. Pres. Hackney will make reappointments effective November 27, therefore there will be no gap in membership. With the first meeting of the new committee, the chairman will be elected. Both committees will act simultaneously, still two committees, appointed members of the Zoning Board of Appeals serving as members of the Planning Commission.

Trustee Bobell moved and Trustee Rich seconded the motion authorizing the president and clerk to sign and to adopt Ordinance 552 pertaining to changes regarding the Zoning Board of Appeals and the Planning Commission.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

Letters regarding the false fire and intrusion alarms were sent out to the businesses of concern.

V.) OLD BUSINESS:

Trustee Bobell moved and Trustee Eschelbach seconded the motion authorizing the village president to sign and to approve the grant services agreement with the Peoria Area Economic Development Council for the administration of the water tower grant in the amount not to exceed \$21,000 to be paid for from grant funds.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

Trustee Bobell moved and Trustee Rich seconded the motion to authorize the transfer of village property to the DM CUSD 701, property location being Green Street from Perry Street to the East side of Bradbury Street. All costs and fees resulting from this transfer will be paid by the school district including the village's requirement to have the property surveyed. All easements will remain in place.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

VI.) NEW BUSINESS:

Trustee Rich moved and Trustee Wallace seconded the motion authorizing the president and clerk to sign and to adopt Ordinance 553 pertaining to the tax levy in the amount of \$60,785.

On roll call the vote was:

Ayes: 5 – Hackney, Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being five affirmative votes...**Motion Carried.**

Note: Subsequently, upon review by the village attorney, because $\frac{3}{4}$ of the elected members of the Board must vote, it is the opinion of the attorney that this action does not carry therefore will be repealed at the December board meeting and voted upon at that time.

Trustee Bobell moved and Trustee Rich seconded the motion authorizing the village president and clerk to sign and to adopt Ordinance 554, pertaining to the abatement of taxes.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

Trustee Eschelbach moved and Trustee Rich seconded the motion to approve the renewal of the Class “C” and “D” liquor license for the DC Diner for a term of one year beginning December 1, 2009 and expiring November 30, 2010.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

Trustee Bobell moved and Trustee Eschelbach seconded the motion authorizing the village president to sign and to approve the Intergovernmental Agreement for Animal and Rabies Control Services with Tazewell County Animal Control for one year in the amount of \$668.00.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 2 – Killion and Smith. There being four affirmative votes...**Motion Carried.**

Trustee Eschelbach moved and Trustee Wallace seconded the motion to accept with regret the resignation of Trustee Mark Killion effective immediately.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 1 – Smith. There being four affirmative votes...**Motion Carried.**

Trustee Bobell moved and Trustee Eschelbach seconded the motion to appoint Village Clerk Lori Lewis as the FOIA (Freedom of Information ACT) Officer.

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 1 – Smith. There being four affirmative votes...**Motion Carried.**

Trustee Bobell moved and Trustee Rich seconded the motion to accept with regret the following members of the Zoning Board of Appeals and the Planning Commission effective November 27, 2009: Jerry Roy, Michael Wallace, Carlene Mathis-Kull, Michael Carr, Doug Stewart, Karl Eschelbach, Robert Hofmann, Robert Coy, Ann Davis, and Janet Wort.

On roll call the vote was:

Ayes: 5 – Hackney, Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 1 – Smith. There being five affirmative votes...**Motion Carried.**

Trustee Bobell moved and Trustee Rich seconded the motion to appoint the following to the Zoning Board of Appeals and the Planning Commission with the terms as recommended:

1. Doug Stewart, term expires 4/30/2010
2. Ann Davis, term expires 4/30/2011
3. Robert Hofmann, term expires 4/30/2012
4. Robert Coy, term expires 4/30/2013
5. Carlene Mathis-Kull, term expires 4/30/2014
6. Jerry Roy, term expires 4/30/2015
7. Karl Eschelbach, term expires 4/30/2016

On roll call the vote was:

Ayes: 4 – Bobell, Eschelbach, Rich and Wallace.

Nays: 0 – None.

Absent: 1 – Smith. There being four affirmative votes...**Motion Carried.**

At this time, Trustee Terry Bobell read his letter of resignation to the board. Trustee Bobell was presented a Certificate of Appreciation from the board and Pres. Hackney proclaimed November 30, 2009 as Terry Bobell Day.

VII.) CALENDAR ITEMS:

Zoning/Planning	December 1	6:00 p.m. at village hall
Police Committee	December 8	6:00 p.m. at village hall
Committee Meetings	December 14	6:00 p.m. at village hall
Regular Village Board	December 15	7:00 p.m. at village hall

Other Calendar Items:

Breakfast with Santa	December 12	9 to 11 a.m. at village hall
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VIII.) ADJOURNMENT:

There being no further business to conduct, Trustee Wallace moved and Trustee Bobell seconded the motion to adjourn.

The board unanimously approved the motion and the meeting adjourned at 7:42 p.m.

Respectfully Submitted,

Lori Lewis
Village Clerk